

Apr. 19. 2006 4:31PM pepper hamilton

RECEIVED No. 1845 P. 1/8
CENTRAL FAX CENTER

APR 19 2006

Pepper Hamilton LLP
Attorneys at Law

50th Floor
500 Grant Street
Pittsburgh, PA 15219-2502
412.454.5000
Fax 412.281.0717
www.pepperlaw.com

FAX INFORMATION SHEET

Date: April 19, 2006
ID Number: 61297
Identifier: 129510.11401

<u>Recipient's Name</u>	<u>Company</u>	<u>General Number</u>	<u>Fax Number</u>
USPTO			571-273-8300

Sender: Kathleen Pujol on behalf of W. Joseph Melnik
Sender's Direct Line: 412.454.5000
Sender's Email Address: docketingpgh@pepperlaw.com

Total Pages Including Cover: 8

Comments: Attached is a Election under 37 CFR §3.71 and 3.73 and Power of Attorney together with Statement of Assignee for Application No. 09/765,789

An original or a copy has [] or has not [✓] been sent to you by mail [] or by overnight service [] or by email [].

♦♦ If total pages are not received, or an error occurred during this transmission,
please call the sender at the direct line listed above. ♦♦

♦♦ CONFIDENTIALITY NOTE ♦♦

The documents accompanying this facsimile transmission contain information from the law firm of Pepper Hamilton LLP which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited, and that the documents should be returned to this Firm immediately. In this regard, if you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

Operator's Use Only					
Start Time:	:	am [] pm []	End Time:	:	am [] pm []
Operator:					

Coversheet Page 1 of 1

*PAGE(14)175*RCVD AT 4/19/2006 3:52:12 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-5/13*DNIS:2738300*CSID:4122810717*DURATION (mm:ss):48:16

80x125

APR 19 2006

Docket No. 129510.00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 09/745,789 : See Attached
Applicants Robinson : See Attached
Filed Jan. 19, 2001 : See Attached
Customer No. : 21269

TITLE: SEE ATTACHED

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth on the attached chart, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoint the attorneys and agents associated with Customer Number 21269, for so long as they remain with such company or firm, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive the Letters Patent document, and for one year after the issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

BEST AVAILABLE COPY

Docket No. 129510.00001

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to PAY BY TOUCH CHECKING RESOURCES, INC. referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all future communications regarding this application as follows:

Customer Number 21269
Pepper Hamilton LLP
One Mellon Bank Center
500 Grant Street
Pittsburgh, PA 15219-2502

ASSIGNEE: Pay by Touch Checking Resources, Inc.

By: 

Name: Steve Zellinger
Title: General Counsel/VP

Date: 4/18/06

ASSIGNMENT:

Concurrently filed
 Previously recorded

Date: February 24, 2006

Reel: 017210

Frames: 0364

BEST AVAILABLE COPY

Docket No. 129510.00001

Serial No.	Filing Date:	Inventor:	Assignment to BioPay, LLC Reel/Frame	Recording Date of BioPay, LLC Assignment	Assignment to Pay By Touch Checking Resources, Inc. Reel/Frame	Recording Date:
10/369,235	02-19-2003	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/277,017	10-21-2002	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/251,305	09-20-2002	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/625,045	07-23-2003	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
09/765,789	01-19-2001	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/861,864	06-07-2004	Robinson, et al.	015440/0736	06-07-2004	017210/0364	2/24/2006
10/848,354	05-19-2004	Robinson, et al.	015353/0142	05-19-2004	017210/0364	2/24/2006
10/840,239	05-07-2004	Robinson, et al.	015305/0374	05-07-2004	017210/0364	2/24/2006
10/840,784	05-07-2004	Robinson, et al.	015311/0690	05-07-2004	017210/0364	2/24/2006
10/844,532	05-13-2004	Robinson, et al.	015331/0450	05-13-2004	017210/0364	2/24/2006
11/005,079	12-07-2004	Robinson, et al.	016065/0373	12-07-2004	017210/0364	2/24/2006
11/034,061	01-13-2005	Robinson, et al.	016163/0951	01-13-2005	017210/0364	2/24/2006
11/076,893	03-11-2005	Robinson, et al.	016379/0248	03-11-2005	017210/0364	2/24/2006
11/123,111	05-06-2005	Robinson, et al.	016537/0952	05-06-2005	017210/0364	2/24/2006
11/076,892	03-11-2005	Robinson, et al.	016379/0209	03-11-2005	017210/0364	2/24/2006
11/034,056	01-13-2005	Robinson, et al.	016163/0679	01-13-2005	017210/0364	2/24/2006
10/920,245	08-18-2004	Robinson, et al.	015717/0917	08-18-2004	017210/0364	2/24/2006
10/910,514	08-03-2004	Robinson, et al.	015656/0730	08-03-2004	017210/0364	2/24/2006
10/891,503	07-15-2004	Robinson, et al.	015578/0991	07-15-2004	017210/0364	2/24/2006
10/775,079	02-11-2004	Robinson, et al.	014996/0369	02-11-2004	017210/0364	2/24/2006
10/725,394	12-03-2003	Robinson, et al.	014757/0044	12-03-2003	017210/0364	2/24/2006
10/678,646	10-06-2003	Robinson, et al.	014971/0964	02-11-2004	017210/0364	2/24/2006
10/829,448	04-22-2004	Robinson, et al.	015262/0452	04-22-2004	017210/0364	2/24/2006
10/910,515	08-03-2004	Robinson, et al.	015663/0289	08-03-2004	017210/0364	2/24/2006
10/870,047	06-18-2004	Robinson, et al.	015492/0391	06-18-2004	017210/0364	2/24/2006
10/743,189	12-23-2003	Robinson, et al.	014846/0699	12-23-2003	017210/0364	2/24/2006
11/034,051	01-13-2005	Robinson, et al.	016163/0658	01-13-2005	017210/0364	2/24/2006
11/076,891	03-11-2005	Robinson, et al.	016379/0176	03-11-2005	017210/0364	2/24/2006
11/034,055	01-12-2005	Robinson, et al.	016163/0733	01-13-2005	017210/0364	2/24/2006
11/034,054	01-13-2005	Robinson, et al.	016163/0690	01-13-2005	017210/0364	2/24/2006
11/076,851	03-11-2004	Robinson, et al.	016380/0766	03-11-2005	017210/0364	2/24/2006
10/983,786	11-09-2004	Robinson, et al.	015984/0453	11-09-2004	017210/0364	2/24/2006
11/187,836	07-25-2005	Robinson, et al.	016811/0720	07-25-2005	017210/0364	2/24/2006
11/252,744	10-19-2005	Robinson, et al.	017117/0737	10-19-2005	017210/0364	2/24/2006
11/217,303	09-02-2005	Robinson, et al.	016952/0441	09-02-2005	017210/0364	2/24/2006
11/128,312	05-13-2005	Robinson, et al.	016564/0576	05-13-2005	017210/0364	2/24/2006
11/232,878	09-23-2005	Robinson, et al.	017027/0249	09-23-2005	017210/0364	2/24/2006
11/284,156	11-22-2005	Robinson, et al.	015262/0452	04-22-2006	017210/0364	2/24/2006
11/304,786	12-16-2005	Robinson, et al.	Recorded/not published	12-16-2005	017210/0364	2/24/2006
11/141,033	06-01-2005	Robinson, et al.	Recorded/not published	06-01-2005	017210/0364	2/24/2006
11/304,785	12-16-2005	Robinson, et al.	Recorded/not published	12-16-2005	017210/0364	2/24/2006
11/187,835	07-25-2005	Robinson, et al.	Recorded/not yet published	02-02-2006	017210/0364	2/24/2006

BEST AVAILABLE COPY

Docket No. 129510.00001

Serial No.	Filing Date:	Inventor:	Assignment to BioPay, LLC Reel/Frame	Recording Date of BioPay, LLC Assignment	Assignment to Pay By Touch Checking Resources, Inc. Reel/Frame	Recording Date:
11/345,284	02-02-2006	Robinson, et al.	Recorded/not published	02-02-2006	017336/0231	3/21/2006
10/142,687	10-25-2005	Robinson, et al.	015436/0665	06-07-2004	017336/0231	3/21/2006

BEST AVAILABLE COPY

Docket No. 129510.0001

STATEMENT UNDER 37 C.F.R. 3.73(B)

Applicant/Patent Owner: PAY BY TOUCH CHECKING RESOURCES, INC.
Application No./Patent No.: SEE ATTACHED 091765,789
Filed/Issue Date: SEE ATTACHED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PAY BY TOUCH CHECKING RESOURCES, INC. (name of assignee), a corporation (type of organization), states that it is:

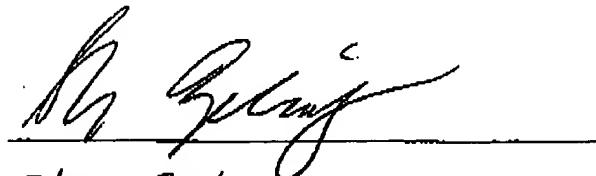
1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either.

A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as identified on the attached chart.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Signature:



Typed or printed name:

Steve Zelinger

Title:

General Counsel and EVP

Date:

April 18, 2006

BEST AVAILABLE COPY

Serial No.	Filing Date:	Inventor:	Assignment to BioPay, LLC Reel/Frame	Recording Date of BioPay, LLC Assignment	Assignment to Pay By Touch Checking Resources, Inc. Reel/Frame	Recording Date:
10/369,235	02-19-2003	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/277,017	10-21-2002	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/251,303	09-20-2002	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/625,045	07-23-2003	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
09/765,789	01-19-2001	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/861,864	06-07-2004	Robinson, et al.	015440/0736	06-07-2004	017210/0364	2/24/2006
10/848,354	05-19-2004	Robinson, et al.	015353/0142	05-19-2004	017210/0364	2/24/2006
10/840,239	05-07-2004	Robinson, et al.	015305/0374	05-07-2004	017210/0364	2/24/2006
10/840,784	05-07-2004	Robinson, et al.	015311/0690	05-07-2004	017210/0364	2/24/2006
10/844,532	05-13-2004	Robinson, et al.	015331/0450	05-13-2004	017210/0364	2/24/2006
11/005,079	12-07-2004	Robinson, et al.	016065/0373	12-07-2004	017210/0364	2/24/2006
11/034,061	01-13-2005	Robinson, et al.	016163/0951	01-13-2005	017210/0364	2/24/2006
11/076,893	03-11-2005	Robinson, et al.	016379/0248	03-11-2005	017210/0364	2/24/2006
11/123,111	05-06-2005	Robinson, et al.	016537/0952	05-06-2005	017210/0364	2/24/2006
11/076,892	03-11-2005	Robinson, et al.	016379/0209	03-11-2005	017210/0364	2/24/2006
11/034,056	01-13-2005	Robinson, et al.	016163/0679	01-13-2005	017210/0364	2/24/2006
10/920,245	08-18-2004	Robinson, et al.	015717/0917	08-18-2004	017210/0364	2/24/2006
10/910,514	08-03-2004	Robinson, et al.	015656/0730	08-03-2004	017210/0364	2/24/2006
10/891,503	07-15-2004	Robinson, et al.	015578/0991	07-15-2004	017210/0364	2/24/2006
10/775,079	02-11-2004	Robinson, et al.	014996/0369	02-11-2004	017210/0364	2/24/2006
10/725,394	12-03-2003	Robinson, et al.	014757/0044	12-03-2003	017210/0364	2/24/2006
10/678,646	10-06-2003	Robinson, et al.	014971/0964	02-11-2004	017210/0364	2/24/2006
10/829,448	04-22-2004	Robinson, et al.	015262/0452	04-22-2004	017210/0364	2/24/2006
10/910,515	08-03-2004	Robinson, et al.	015663/0289	08-03-2004	017210/0364	2/24/2006
10/870,047	06-18-2004	Robinson, et al.	015492/0391	06-18-2004	017210/0364	2/24/2006
10/743,189	12-23-2003	Robinson, et al.	014846/0699	12-23-2003	017210/0364	2/24/2006
11/034,051	01-13-2005	Robinson, et al.	016163/0658	01-13-2005	017210/0364	2/24/2006
11/076,891	03-11-2005	Robinson, et al.	016379/0176	03-11-2005	017210/0364	2/24/2006
11/034,055	01-12-2005	Robinson, et al.	016163/0733	01-13-2005	017210/0364	2/24/2006
11/034,054	01-13-2005	Robinson, et al.	016163/0690	01-13-2005	017210/0364	2/24/2006
11/076,851	03-11-2004	Robinson, et al.	016380/0766	03-11-2005	017210/0364	2/24/2006
10/983,786	11-09-2004	Robinson, et al.	015984/0453	11-09-2004	017210/0364	2/24/2006
11/187,836	07-25-2005	Robinson, et al.	016811/0720	07-25-2005	017210/0364	2/24/2006
11/252,744	10-19-2005	Robinson, et al.	017117/0737	10-19-2005	017210/0364	2/24/2006
11/217,303	09-02-2005	Robinson, et al.	016952/0441	09-02-2005	017210/0364	2/24/2006
11/128,312	05-13-2005	Robinson, et al.	016564/0576	05-13-2005	017210/0364	2/24/2006
11/232,878	09-23-2005	Robinson, et al.	017027/0249	09-23-2005	017210/0364	2/24/2006
11/345,284	02-02-2006	Robinson, et al.	Recorded/not published	02-02-2006	017336/0231	3/21/2006
10/142,687	10-25-2005	Robinson, et al.	015436/0665	06-07-2004	017336/0231	3/21/2006
11/284,156	11-22-2005	Robinson, et al.	015262/0452	04-22-2006	017210/0364	2/24/2006
11/304,786	12-16-2005	Robinson, et al.	Recorded/not published	12-16-2005	017210/0364	2/24/2006
11/141,033	06-01-2005	Robinson, et al.	Recorded/not published	06-01-2005	017210/0364	2/24/2006
11/304,785	12-16-2005	Robinson, et al.	Recorded/not published	12-16-2005	017210/0364	2/24/2006
11/187,835	07-25-2005	Robinson, et al.	Recorded/not yet published	02-02-2006	017210/0364	2/24/2006

BEST AVAILABLE COPY

Docket No.: 129510-11401

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robinson, et al.

Application No.: 09/765,789

Filed: Jan. 19, 2001

Examiner:

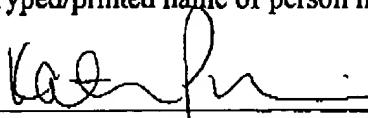
For: System and Method for Biological Authorization for Financial Transactions

CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.6 & §1.8

I hereby certify that this Power of Attorney and Statement of Assignee is being sent via facsimile to fax number 571-273-8300 under 37 C.F.R. §1.6 & §1.8 on April 19, 2006.

Kathleen Pujol

(Typed/printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

Documents Faxed:

1. Election under 37 CFR §3.71 and 3.73 and Power of Attorney
2. Statement of Assignee
3. Certificate of Facsimile